

GREGORY D. PHILLIPS (UT SBN 04645)
HOWARD PHILLIPS & ANDERSON
560 East 200 South, Suite 300
Salt Lake City, Utah 84102
Telephone: (801)-366-7707
Facsimile: (801)-366-7706
Email: gdp@hpalaw.com

ROBERT P. GREENSPOON (IL State Bar No. 6229357) (*pro hac vice* pending)
FLACHSBART & GREENSPOON, LLC
333 N. Michigan Avenue – Suite 2700
Chicago, Illinois 60601
Telephone: (312) 551-9500
Facsimile (312) 551-9501
Email: rpg@fg-law.com

Attorneys for Defendant InvestmentSignals, LLC.

UNITED STATES DISTRICT COURT
DISTRICT OF UTAH
CENTRAL DIVISION

CAMPBELL SCIENTIFIC, INC., and
IRRISOFT, INC.

Plaintiffs,

vs.

INVESTMENT SIGNALS, LLC.

Defendant.

Case No. 1:10-cv-00006-DB

MOTION TO DISMISS

Defendant InvestmentSignals, by and through its attorneys, hereby moves to dismiss under Rules 8 and 12 of the Federal Rules of Civil Procedure and pursuant to 28 U.S.C. § 1391. InvestmentSignals is entitled to dismissal because:

- the District of Utah lacks personal jurisdiction over the defendant
- the District of Utah is not a proper venue for this patent suit involving a New Hampshire LLC
- the complaint does not comport with Rule 8 because it does not meet the fair-notice pleading standards

- the purposes of the declaratory-judgment act are not furthered by hearing this action; and
- this Court lacks subject matter jurisdiction over Plaintiff Campbell Scientific's claims.

For these reasons, as further illustrated in the Memorandum of Law and Declaration filed concurrently herewith, InvestmentSignals respectfully requests that the Court grant its motion to dismiss.

Dated: April 21, 2010

Respectfully Submitted,

s/Gregory D. Philips

Robert P. Greenspoon (*pro hac* pending)
Flachsbart & Greenspoon, LLC
333 N. Michigan Ave, 27th Floor
Chicago, IL, 60601
Tel: 312-551-9500
Fax: 312-551-9501
rpg@fg-law.com

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ATTORNEYS FOR DEFENDANT
INVESTMENT SIGNALS, LLC

CERTIFICATE OF SERVICE

Because all parties in this matter are e-filers, service of **MOTION TO DISMISS** was accomplished via the Notice of Electronic Filing (NEF) pursuant to the District of Utah CM/ECF Administrative Procedures II. H. 4.

DATED: April 21, 2010

s/ Gregory D. Phillips
HOWARD, PHILLIPS, & ANDERSEN